

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

THOMAS CLARK,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 2:20-cv-00339-RSM

ORDER FOR REMAND

The parties, acting through their respective counsel, hereby stipulate and agree that the above-captioned case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Administrative Law Judge (ALJ) will reevaluate Plaintiff's symptoms, consistent with 20 C.F.R. § 404.1529 and SSR 16-3p. The ALJ will reconsider the medical opinions of record. The ALJ will reevaluate, with the assistance of a psychological medical expert, Plaintiff's residual functional capacity, consistent with 20 C.F.R. § 404.1545 and SSR 96-8p. The ALJ will reconsider, if appropriate, whether Plaintiff had good reasons for the failure to follow prescribed treatment and proceed with the sequential evaluation, as necessary.

Plaintiff is entitled to reasonable attorney fees, expenses, and costs under the Equal Access to Justice Act, 28 U.S.C. §§ 2412 and 1920, upon proper request to the Court.

DATED this 18th day of November, 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

s/ Martha A. Boden
MARTHA A. BODEN
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
701 Fifth Avenue, Suite 2900 M/S 221A
Seattle, WA 98104-7075
Telephone: (206) 615-3710
Fax: (206) 615-2531
martha.boden@ssa.gov